GOVERNMENT OF INDIA
COMMUNICATIONS AND INFORMATION TECHNOLOGY
LOK SABHA

UNSTARRED QUESTION NO:2407
ANSWERED ON:15.12.2008
AMENDMENT IN LAWS REGARDING INTERNET
Rajendran Shri P.

Will the Minister of COMMUNICATIONS AND INFORMATION TECHNOLOGY be pleased to state:

(a) whether the people are misusing the social networking sites on Internet by uploading offensive pictures and videos to these sites;

(b) if so, the details thereof;

(c) whether the Government has any proposal to amend the relevant laws to include these activities under the criminal law to prevent such activities;

(d) if so, whether the Government has noticed a number of cases regarding Phishing/Identity theft over the Internet;

(e) if so,the details thereof; and

(f) the steps taken/being taken by the Government in this regard?

Answer

MINISTER FOR COMMUNICATIONS AND INFORMATION TECHNOLOGY(ANDIMUTHU RAJA)

(a) and (b): Every infrastructure/service is vulnerable to misuse by a section of people and the same is applicable in this case also.As per the crime data maintained by National Crime Records Bureau (NCRB), a total of 88, 69, and 99 cases of obscene publication/transmission in electronic form (under IT Act,2000) were registered in the year 2005, 2006, 2007.

(c): No,Sir.However,publishing and transmission of information, which is obscene,in electronic form is an offence under Section 67 of Information Technology Act, 2000.Further amendments are proposed in IT Act,2000 which provides punishment for publishing or transmitting in electronic form any material which contains sexually explicit act or conduct etc.

(d) and (e): NCRB maintains the cyber crime data for the country.No separate data is maintained under the crime head phishing/identity theft`.

(f): The Government has introduced the Information Technology(Amendment) Bill,2006 in the Parliament,which inter alia provides a legal framework for prevention of new forms of cyber crimes like publishing of material containing sexually explicit act in electronic form, video voyeurism, breach of confidentiality and leakage of data by service providers,e-commerce frauds through impersonation commonly known as phishing, identity theft and offensive messages through communication service.